

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY APRIL 25, 2013

AMENDED IN ASSEMBLY MARCH 14, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 570**

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**Introduced by Assembly Member Jones-Sawyer**

February 20, 2013

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An act to add Section 48432.3 to the Education Code, relating to continuation schools.

### LEGISLATIVE COUNSEL'S DIGEST

AB 570, as amended, Jones-Sawyer. Continuation schools: policies and procedures: voluntary placement.

~~(1) Existing~~

*Existing* law establishes continuation schools to provide opportunities for pupils to complete the required academic courses of instruction to graduate from high school, to provide a program of instruction that emphasizes occupational orientation or a work-study schedule and offers intensive guidance services to meet the special needs of pupils, and to provide a program designed to meet the educational needs of each pupil, as specified. Existing law requires the governing board of each high school or unified school district that assigns pupils to continuation schools to adopt rules and regulations governing procedures for the involuntary transfer of pupils to continuation schools.

This bill would, *if the governing board of a school district chooses to voluntarily enroll high school pupils in a continuation school*, require the governing boards of school districts that operate high schools board to establish and adopt policies and procedures governing the

identification, placement, and intake procedures for *these* pupils ~~who voluntarily enroll in continuation schools~~, based on a finding that the voluntary placement of the pupil will promote his or her educational interests. The bill would require that voluntary placement in continuation school not be used as an alternative to expulsion, except as specified, and would require that these policies and procedures ensure that no specific group of pupils, as specified, is disproportionately enrolled in continuation schools within the school district. The bill would require these policies and procedures to be provided to pupils whose voluntary transfer to a continuation school is under consideration, and to the parents or legal guardians of those pupils. ~~The bill would require that copies of these policies and procedures be made readily available to all pupils, and to all parents or legal guardians of pupils, at schoolsites and on the school's or school district's Internet Web site. The bill would require the State Department of Education to develop model standards for guiding school districts with respect to implementing the policies and procedures adopted under this bill. Because this bill establishes new duties for school districts, it would impose a state-mandated local program.~~

(2) ~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.  
State-mandated local program: ~~yes~~-no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 48432.3 is added to the Education Code,
- 2 to read:
- 3 48432.3. (a) ~~The~~*If the* governing board of a school district
- 4 ~~that operates at least one high school chooses to voluntarily enroll~~
- 5 ~~high school pupils in a continuation school, the governing board~~
- 6 shall establish and adopt policies and procedures governing the
- 7 identification, placement, and intake procedures for ~~pupils who~~
- 8 ~~voluntarily enroll in continuation schools~~ *these pupils*. These
- 9 policies and procedures shall ensure that there is a clear criterion

1 for determining which pupils may voluntarily transfer or be  
2 recommended for a transfer to a continuation school and that this  
3 criterion is not applied arbitrarily, but is consistently applied on a  
4 districtwide basis. Approval for the voluntary transfer of a pupil  
5 to a continuation school shall be based on a finding that the  
6 voluntary placement will promote the educational interests of the  
7 pupil.

8 (b) The policies and procedures adopted under this section shall  
9 ensure that voluntary placement in a continuation school will not  
10 be used as an alternative to expulsion unless alternative means of  
11 ~~addressing a pupil's behavior have been considered and~~  
12 ~~documented~~ *correction have been attempted pursuant to Section*  
13 *48900.5.*

14 (c) The policies and procedures adopted under this section shall  
15 strive to ensure that no specific group of pupils, including a group  
16 based on race, ethnicity, language status, or special needs, is  
17 disproportionately enrolled in continuation schools within the  
18 school district.

19 (d) ~~A~~ *If a governing board chooses to permit pupils to*  
20 *voluntarily transfer to a continuation school, a copy of the policies*  
21 *and procedures adopted under this section shall be provided to a*  
22 *pupil whose voluntary transfer to a continuation school is under*  
23 *consideration, and to the parents or legal guardians of that pupil.*  
24 ~~Copies of these policies and procedures shall also be made readily~~  
25 ~~available to all pupils, and to all parents or legal guardians of~~  
26 ~~pupils, at schoolsites and on the school's or school district's~~  
27 ~~Internet Web site.~~

28 (e) ~~The department shall develop model standards for guiding~~  
29 ~~school districts with respect to implementing the policies and~~  
30 ~~procedures they adopt under this section to govern the~~  
31 ~~identification, placement, and intake procedures for pupils who~~  
32 ~~voluntarily enroll in continuation schools.~~

33 ~~SEC. 2. If the Commission on State Mandates determines that~~  
34 ~~this act contains costs mandated by the state, reimbursement to~~  
35 ~~local agencies and school districts for those costs shall be made~~  
36 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
37 ~~4 of Title 2 of the Government Code.~~